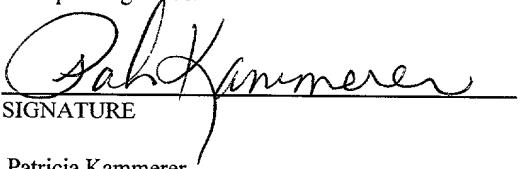


| | | |
|--|--|--|
| FORM PTO-1390 DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE (REV 10-2000) | | ATTORNEY'S DOCKET NO. DCLQ:003 |
| TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371 | | U.S. APPLICATION NO. (If known, see 37 CFR 1.5) |
| INTERNATIONAL APPLICATION NO. PCT/EP00/05192 | INTERNATIONAL FILING DATE 6 June 2000 | 10/009235 |
| PRIORITY DATE CLAIMED 7 June 1999 | | |
| TITLE OF INVENTION The Combined Use of Triglycerides Containing Medium Chain Fatty Acids and Exogenous Lipolytic Enzymes as Feed Supplements | | |
| APPLICANT(S) FOR DO/EO/US Jaak Decuyper and Noel Dierick | | |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: | | |
| <ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)). 4. <input type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (PCT Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not transmitted by the International Bureau). b. <input checked="" type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)). <ol style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). | | |
| Items 11 to 16 below concern document(s) or information included: | | |
| <ol style="list-style-type: none"> 11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input type="checkbox"/> A FIRST preliminary amendment. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. 14. <input type="checkbox"/> A substitute specification. 15. <input type="checkbox"/> A change of power of attorney and/or address letter. 16. <input type="checkbox"/> A computer-readable form of sequence listing in accordance with PCT Rule 13 ter.2 and 35 U.S.C. 1.821-1.825. 17. <input type="checkbox"/> Other items or information: | | |

| | |
|---|--|
| CERTIFICATE OF EXPRESS MAILING | |
| NUMBER EL521273785US | |
| DATE OF DEPOSIT December 7, 2001 | |
| I hereby certify that this paper or fee is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 CFR 1.10 on the date indicated above and is addressed to Assistant Commissioner for Patents, Washington, DC 20231 | |
| <i>Elizabeth May</i> Signature | |

| | | | | |
|--|---|---|------------|----------------------|
| U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 107009235 | INTERNATIONAL APPLICATION NO. PCT/EP00/05192 | ATTORNEY'S DOCKET NUMBER DCLQ:003 | | |
| 17. <input checked="" type="checkbox"/> The following fees are submitted: | | CALCULATIONS PTO USE ONLY | | |
| Basic National Fee (37 CFR 1.492(a)(1)-(5)): | | | | |
| Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO | | \$1040.00 | | |
| International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO | | \$890.00 | | |
| International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO | | \$740.00 | | |
| international preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) | | \$710.00 | | |
| International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) | | \$100.00 | | |
| ENTER APPROPRIATE BASIC FEE AMOUNT | | = \$890.00 | | |
| Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)). | | \$130.00 | | |
| Claims | Number Filed | Number Extra | Rate | |
| Total Claims | - 20 = | | x \$ 18.00 | \$.00 To be filed |
| Independent Claims | - 3 = | | x \$ 84.00 | \$.00 with response |
| Multiple dependent claim(s) (if applicable) | | + \$280.00 | \$-0.00 | to missing parts |
| TOTAL OF ABOVE CALCULATIONS | | = \$1020.00 | | |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2. | | \$.00 | | |
| SUBTOTAL | | = \$.00 | | |
| Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)). | | \$.00 | | |
| TOTAL NATIONAL FEE | | = \$1020.00 | | |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property) | | \$.00 | | |
| TOTAL FEES ENCLOSED | | = \$1020.00 | | |
| | | Amount to be refunded: | \$.00 | |
| | | charged | \$1020.00 | |
| <p>a. <input type="checkbox"/> A check in the amount of \$ _____.00 cover the above fees is enclosed.</p> <p>b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>01-2508/DCLQ:003</u> in the amount of <u>\$1020.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>01-2508/DCLQ:003</u>. A duplicate copy of this sheet is enclosed.</p> | | | | |
| NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status. | | | | |
| SEND ALL CORRESPONDENCE TO: | |  SIGNATURE <u>Patricia Kammerer</u> NAME <u>Patricia Kammerer</u> REGISTRATION NUMBER <u>29,775</u> | | |
| Patricia Kammerer, Esq. HOWREY SIMON ARNOLD & WHITE, LLP 750 Bering Drive Houston, TX 77057-2198 (713) 787-1400 | | | | |

10 Rec'd PCT/PTO 11 JUN 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE #4

In re Application of:

**Jaak DECUYPERE
Noël DIERICK**

Serial No.: **10/009,235**

Filing Date:

Confirmation No.: **5573**

For: **The Combined Use of Tryglycerides
Containing Medium Chain Fatty Acids
and Exogenous Lipolytic Enzymes as
Feed Supplements**

§
§ Art Group No.:

§
§ Examiner:

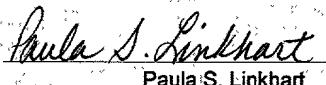
§ Atty. Dkt.: **DCLQ003---**
§ **13475.0003.PCUS00**

§
§ **§ 371 filing of International Application
No.: PCT/EP00/05192 filed 6 June 2000**

PRELIMINARY AMENDMENT AND PRIORITY NOTICE

Box PCT
Commissioner for Patents
Washington, D.C. 20231

Sir:

| | |
|---|-----------------|
| CERTIFICATE OF EXPRESS MAIL | |
| NUMBER | EL 831787686 US |
| DATE OF DEPOSIT JUNE 11, 2002 | |
| I hereby certify that this paper or fee is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to: Box PCT, Commissioner for Patents, Washington, D.C. 20231. | |
|  Paula S. Linkhart | |

Please amend this application as follows:

IN THE SPECIFICATION:

On page 1, line 2, please add a new paragraph following the Title:

--This application is a §371 national stage filing of PCT/EP00/05192, filed 6 June 2000 (published in English on 14 December 2000 as WO 00/74497 A1) and claiming priority to EP 99870120.5 filed 7 June 1999.--

IN THE CLAIMS:

Please amend claims 1-19 to read as follows:

1. (Amended) A feed composition containing at least one triglyceride containing medium chain fatty acids and at least one lipolytic enzyme, for use as a medicament.
2. (Amended) The feed composition according to claim 1 for use as an antimicrobial agent.
3. (Amended) The feed composition according to claim 1 for preventing digestive upsets.
4. (Amended) The feed composition according to claim 1 wherein said triglyceride contains at least one or more C4, C5, C6, C7, C8, C9, C10, C11, and/or C12 medium chain fatty acid.
5. (Amended) The feed composition according to claim 1 wherein said triglyceride is a naturally occurring triglyceride, such as butterfat and coconut oil.
6. (Amended) The feed composition according to claim 1 wherein said triglyceride is an industrially prepared triglyceride composition.
7. (Amended) The feed composition according to claim 1 wherein said triglyceride is a mixture of naturally occurring triglycerides and industrially prepared triglycerides.
8. (Amended) The feed composition according to claim 1 wherein said triglyceride is prepared by interesterification of C4 to C12 chain fatty acids.
9. (Amended) The feed composition according to claim 1 wherein said lipolytic enzyme is a lipase.
10. (Amended) The feed composition according to claim 1 wherein said lipolytic enzyme is an esterase.

2010-09-22 10:40:00 AM

11. (Amended) The feed composition according to claim 1 wherein said lipolytic enzyme is a mixture of lipase and esterase.
12. (Amended) The feed composition according to claim 1 wherein said triglyceride is present in a naturally occurring or industrially prepared medium chain fatty acids containing triglyceride composition and said lipolytic enzyme is present in a commercially available lipolytic enzyme composition.
13. (Amended) The feed composition according to claim 1 wherein said triglyceride component is added in a concentration ranging from 0.25% to 10% to the feed and said lipolytic enzyme component is added in a concentration ranging from 100 to 10.000 ppm, to the feed.
14. (Amended) The feed composition according to claim 1 wherein said triglyceride is a medium chain triglyceride (MCTG).
15. (Amended) Use of a feed composition according to any of claims 1 to 14, for production of a medicament for prophylactic or therapeutic treatment of growth impairment.
16. (Amended) Use of a feed composition according to any of the claims 1 to 14, for preparation of a medicament for prophylactic or therapeutic treatment of digestive bacterial upsets.
17. (Amended) Use of a feed composition according to any of claims 1 to 14, as a feed supplement.
18. (Amended) Use according to any of claims 15 to 17, wherein the feed supplement is suitable for production and companion animal.
19. (Amended) Use according to claim 18, wherein the animals are early weaned piglets.

Please add new claims 20 and 21:

20. (New) Feed composition according to any of the claims 1 to 14, for production and companion animals.
21. (New) Feed composition according to claim 15, wherein the production animals are early weaned piglets.

REMARKS

The specification has been amended to note the claim to priority and to add reference to an earlier filed PCT application as required under 37 C.F.R. § 1.78(a)(2).

In this amendment, claims 1-19 are amended to read on a “feed” composition. Claims 1-14 are amended to deleted reference to multiple dependency. These amendments are made to place the claims in a preferred format for the United States and are not amendments relating to patentability. New claims 20 and 21 find support in original claims 18 and 19. A marked up sheet of claim amendments is attached hereto.

There are now 21 claims pending. The fees for 1 claim over 20 and multiple dependent claims are itemized in the Response to Missing Requirements and authorized to be charged to the listed deposit account. It is believed that no additional fee is due by this amendment. Should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, the Commissioner is authorized to deduct said fees from Deposit Account No. 01-2508/13475.0003.PCUS00.

CONCLUSION

In view of the foregoing amendments, applicants respectfully submit the claims are in proper form and condition for allowance. Applicants request that the claims be allowed and the application advanced to issue.

The Examiner is invited to contact the undersigned attorney at (713) 787-1438 with any questions, comments or suggestions relating to the referenced patent application.

Respectfully submitted,



Patricia A. Kammerer
Reg. No. 29,775
Attorney for Assignees
AVEVE N.V. and
VITAMEX N.V.

HOWREY SIMON ARNOLD & WHITE, LLP
750 Bering Drive
Houston, Texas 77057-2198
(713) 787-1400

Date: June 11, 2002

MARKED-UP SHEET OF CLAIM AMENDMENTS

1. (Amended) A feed composition containing at least one triglyceride containing medium chain fatty acids and at least one lipolytic enzyme , for use as a medicament.
2. (Amended) The feed composition ~~containing at least one triglyceride containing medium chain fatty acids and at least one lipolytic enzyme, according to claim 1~~ for use as an antimicrobial agent.
3. (Amended) The feed composition ~~containing at least one triglyceride containing medium chain fatty acids and at least one lipolytic enzyme, according to claim 1~~ for preventing digestive upsets.
4. (Amended) The feed composition according to ~~claim 1 any of claims 1 to 3~~, wherein said triglyceride contains at least one or more C4, C5, C6, C7, C8, C9, C10, C11, and/or C12 medium chain fatty acid.
5. (Amended) The feed composition according to ~~claim 1 any of claims 1 to 4~~, wherein said triglyceride is a naturally occurring triglyceride, such as butterfat and coconut oil.
6. (Amended) The feed composition according to ~~claim 1 any of claims 1 to 5~~, wherein said triglyceride is an industrially prepared triglyceride composition.
7. (Amended) The feed composition according to ~~claim 1 any of claims 1 to 6~~, wherein said triglyceride is a mixture of naturally occurring triglycerides and industrially prepared triglycerides.
8. (Amended) The feed composition according to ~~claim 1 any of claims 1 to 7~~, wherein said triglyceride is prepared by interesterification of C4 to C12 chain fatty acids.

202500 202500 202500 202500

9. (Amended) **The feed** composition according to claim 1~~any of claims 1 to 8~~, wherein said lipolytic enzyme is a lipase.
10. (Amended) **The feed** composition according to claim 1~~any of claims 1 to 8~~, wherein said lipolytic enzyme is an esterase.
11. (Amended) **The feed** composition according to claim 1~~any of claims 1 to 8~~, wherein said lipolytic enzyme is a mixture of lipase and esterase.
12. (Amended) **The feed** composition according to claim 1~~any of claims 1 to 11~~, wherein said triglyceride is present in a naturally occurring or industrially prepared medium chain fatty acids containing triglyceride composition and said lipolytic enzyme is present in a commercially available lipolytic enzyme composition.
13. (Amended) **The feed** composition according to claim 1~~any of claims 1 to 12~~, wherein said triglyceride component is added in a concentration ranging from 0.25% to 10% to the feed and said lipolytic enzyme component is added in a concentration ranging from 100 to 10.000 ppm, to the feed.
14. (Amended) **The feed** composition according to claim 1~~any of claims 1 to 13~~, wherein said triglyceride is a medium chain triglyceride (MCTG).
15. (Amended) Use of a feed composition according to any of claims 1 to 14, for production of a medicament for prophylactic or therapeutic treatment of growth impairment.
16. (Amended) Use of a feed composition according to any of the claims 1 to 14, for preparation of a medicament for prophylactic or therapeutic treatment of digestive bacterial upsets.
17. (Amended) Use of a feed composition according to any of claims 1 to 14, as a feed supplement.

18. (Amended) Use according to ~~claim 16~~ any of claims 15 to 17, wherein the feed supplement is suitable for production and companion animal.

19. (Amended) Use according to claim ~~17~~ 18, wherein the animals are early weaned piglets.

--20. (New) **Feed composition according to any of the claims 1 to 14, for production and companion animals.**

21. (New) **Feed composition according to claim 15, wherein the production animals are early weaned piglets. --**

2020-06-09 10:45

4/parts

WO 00/74497

PCT/EP00/05192

5

1

THE COMBINED USE OF TRIGLYCERIDES CONTAINING MEDIUM CHAIN FATTY ACIDS AND EXOGENOUS LIPOLYtic ENzymes AS FEED SUPPLEMENTS

10

5

Field of the Invention

15

The present invention relates to the use of triglycerides (TG) containing medium chain fatty acids (MCFA; C4 to C12), combined with exogenous lipolytic enzymes (esterases or lipases) as a feed supplement for animals, especially early weaned pigs 10 in order to prevent and/or alleviate the problems which are frequently met at this moment. This results in a marked improvement of the growth performances without 20 the use of the classical, but contested, feed additives.

20

Background of the Invention

25

15 Early weaning (3 to 4 weeks of age) of piglets has become a general practice in pig husbandry systems for increasing the productivity and maintaining the profitability. Early weaning, however, burdens the piglet with a lot of stresses, mainly of 20 environmental, nutritional and immunological origin, combined with a more or less pronounced depression of feed intake and mobilization of body reserves. Maldigestion 30 and malabsorption often aggravate the situation resulting in digestive upsets due to bacterial overgrowth and/or viral infections. These phenomena greatly interfere with 35 the profitability of the enterprise. There is a vast body of literature covering these 25 issues (e.g. VAN DER PEET, 1992; PARTRIDGE, 1993).

40

The currently used methods to handle those problems aim at the adaptation of the feed to the digestive capacity of the piglet, and/or by improving the acceptability of the feed by the use of specific ingredients (e.g. milk powder and derivates, such as whey and lactose, dried blood serum, flavors), all or not combined with an increase of 45 30 the energy content of the feed. An increase of the energy content can be obtained among others by including easily digestible or metabolizable fats. The usefulness of medium chain triglycerides (MCTG) in this context is well documented both in neonatal 50 (ODLE, 1999) and in weaned piglets (CERA et al., 1989). The reasons for the

CONFIRMATION COPY

55

usefulness of MCTG is their specific digestive and metabolic fate, reviewed by BACH & BABAYAN. (1982).

Digestive upsets are prevented and/or treated by supplementing the feed with pharmaceutical antimicrobial substances (antibiotics, chemotherapeutics, called antibiotics further on). The combined effects of the above mentioned interventions mostly result in a pronounced improvement of the growth performances (called 'growth promotion' further on). This growth promotion is mainly due to, depending on the circumstances, an improved feed intake all or not combined with a better feed conversion (= kg feed / kg gain). However there is a growing concern about the use of antibiotics for growth promotion in animal production systems. Especially there is a well-considered fear for the risk of the emergence of cross-resistance to some last-resort antibiotics used in human medicine (CORPET,1996; WEGENER et al., 1998). Therefore most of those antibiotics (so called growth promotors) are already or will be banned in the near future in the EU which justify an urgent need for alternatives.

15 Because there is a general belief that the digestive pathology in early weaned pig is mainly caused by Gram – bacteria (especially *E. coli*) and that Gram + lactic acid bacteria (Bifidobacteria, Lactobacilli) have a protective and/or antagonistic effect against them, the currently proposed alternatives are selected for their anti-*E. coli* activity: eg. copper and zinc compounds, selected organic acids (short chain fatty acids (SCFA, formic, acetic-, propionic acid), lactic , fumaric-, citric, malic, sorbic acid), probiotics (mainly lactic acid bacteria) and/or prebiotics (mainly bifidogenic oligosaccharides, so called NDO's). Cu- and/or Zn- compounds are effective but are not acceptable because their effect on the environment (pollution). Results obtained with pro- and/or prebiotics are unpredictable and generally spoken disappointing (CHESSON,1994).

Similar problems exist in other animal species and in animals of other age groups.

Only SCFA and the 'classical' organic acids are the most promising alternatives for the moment (ROTH et al., 1998). However rather high doses are needed, so that their usefulness is limited by the high cost, their corrosive nature and their averse taste which interferes greatly with the feed intake of the piglets

The antimicrobial effects of fatty acids (FA) in general and their salts (soaps) is already known for decades. A reevaluation of the antimicrobial effects of selected FA (and derivates) is given in the review of KABARA (1978). Special attention was thereby given to lauric acid (C12, a member of the MCFA-family) and derivatives.

5 Further literature data lead to conclude the relative important contribution of MCFA
in the milk-lipid of certain animal species (e.g. rabbit, goat, horse), while in other
species the concentrations were low or even nihil as in sow's milk (DIERICK, 1998,
literature compilation, personal communication). In most mammals there is a more or
less pronounced preduodenal (= not of pancreatic origin) lipolytic activity originating
10 from lingual or gastric secretions. The activity of those lipases is independent of the
presence of colipase and bile acids, is active and stable in a broad range of pH's and
has a preference for MCFA in milk fat. The preduodenal lipase activity is high in
preruminant calves and rabbits, moderate in piglets and absent in poultry (MOREAU et
al., 1988). An excess MCFA can have important side-effects: indeed, there are data
15 that they can be hypnotic in new born pigs (ODLE, 1999), and are a strong stimulus for
CCK, an intestinal hormone with a pronounced satiating activity what could interfere
with the feed intake (LEPINÉ et al., 1989). A lower feed intake could also be the result
of the strong (goat-like) odour and averse taste of free MCFA, although data in this
context are scarce and non-conclusive.

Summary of the Invention

The present invention aims at providing new feed supplements for animal feeds, particularly for early weaned pigs which can replace the commonly used (and contested) antibiotics and other growth enhancers.

The present invention is related to a feed supplement or feed composition whereby the feed supplement is a premix of feed additives (vitamins, minerals, antibiotics, among others) with a carrier for use as part (mostly 1 to 5%) of a complete food, and whereby the feed composition is the entire listing of the different feed ingredients used in a complete feed: an other term often used is "feed formula".

The present invention provides the use of at least one triglyceride (TG) containing medium chain fatty acids (MCFA: C4 to C12), combined with at least one exogenous

4

lipolytic enzyme (esterase or lipase) as a feed supplement for animal feeds, especially for early weaned pigs in order to prevent and/or alleviate feeding problems which are frequently met at this moment. The addition of this combination of TG and exogenous lipolytic enzymes to feed surprisingly results in a physiological environment in the stomach which regulates and stabilizes the gastrointestinal microflora. This effect, combined with the fact that an easily digestible and metabolizable source of energy is provided, surprisingly results in a marked improvement of the growth which is comparable with the growth promotion obtained with the commonly used (and contested) antibiotics and other growth enhancers without negative side effects for the animal, the feed industry and the consumer.

Brief Description of the Drawings

Fig. 1 relates to the results obtained in example 1 and presents the *in vitro* released MCFA (expressed as g/100 g TG) for the different examined TG's (fig 1.a. coconut oil, fig. 1.b. MCTG1, fig 1.c. MCTG2, fig.1.d. butterfat) and selected enzymes. The enzymes, coded L1 to L6, were used in a dose of 10.000 ppm on the basis of TG. The release of FA was studied in buffered medium at pH 2, 3, 4 and 5 as being representative for the pH conditions prevailing *in vivo* in the stomach.

Fig 2. relates to the results obtained in example 2 and presents the total and selective bacterial counts (expressed as log₁₀ Colony Forming Units, CFU per g fresh contents) in the stomach contents of cannulated pigs. Fig. 2.a, 2.b. and 2.c. give the results for the feeds with 5% coconut oil, MCTG1 and butterfat respectively. The first component of each figure presents the results obtained without lipolytic enzymes, the second and third block, the results with the addition of L2 and L5 (1000 ppm on feed basis) respectively. The first bar is the total count, the following bars are the number of lactobacilli, streptococci and *E. coli*. The results indicate that with each TG, the enzymes cause a reduction of the total count and the number of lactobacilli.

Fig. 3 relates to the results of the analysis of the fat fractions in the gastric contents (in g / 100 g contents) of the cannulated pigs used in example 2. The proportion of free

5 FA to total FA is given for the feeds with the different TG's used without enzyme (V1:
coconut oil, V4: MCTG1; V7: butterfat) or with the supplementation of L2 or L5 (1000
10 ppm on feed basis). The free FA released without enzymes result from the activity of
the endogenous preduodenal lipases. The results indicate that the lipolytic enzymes
15 used greatly enhance the release of free FA from each TG tested.

Detailed description of the invention

15 The present invention relates to the use of at least one triglyceride (TG)
20 containing medium chain fatty acids (MCFA), combined with at least one exogenous
25 lipolytic enzyme (esterase or lipase) as a feed supplement for animal feeds in order to
30 prevent and/or alleviate the problems which are frequently met at this moment.

35 The present invention thus also relates to a feed supplement composition which
40 comprises at least one triglyceride (TG) containing medium chain fatty acids (MCFA)
45 and at least one exogenous lipolytic enzyme (esterase or lipase).

50 Medium chain fatty acids according to the present invention include both even
55 and odd fatty acids, such as fatty acids containing C4 (butyric acid, butanoic acid), C5
60 (valeric acid), C6 (caproic acid, hexanoic acid), C7 (heptanoic acid), C8 (caprylic acid,
65 octanoic acid), C9 (pelargonic acid), C10 (capric acid, decanoic acid), C11 (undecanoic
70 acid) or C12 (lauric acid, dodecanoic acid). The MCFA triglyceride component
75 according to the present invention may be a naturally occurring triglycerides containing
80 composition, such as butterfat and coconut oil. Alternatively, said triglyceride
85 component may comprise one or more industrially prepared triglycerides or a mixture of
90 naturally occurring and industrially prepared triglycerides. Said triglyceride may be
95 prepared by interesterification of C4 to C12 chain fatty acids.

100 Examples of naturally occurring substances which are rich in medium chain fatty
105 acid containing triglycerides include but are not limited to coconut oil, palm kernel oil,
110 babassu oil, cohune oil, tacum oil, cuphea oil derived from plant seeds, milk of
115 mammalian species, such as milk from horse, rat, goat and rabbit, or butterfat.

120 Examples of commercial sources of chemically synthesized structured or tailor-
125 made triglycerides containing medium chain fatty acid include but are not limited to
130 those given in Table 10 or those exemplified in the Materials section of the Examples.

The lipolytic enzyme component according to the present invention may comprise a lipase or an esterase, a mixture of lipases or a mixture of esterases or a mixture of lipases and esterase. Said lipases or esterases may be naturally occurring or industrially prepared. Said lipolytic enzymes may be from microbial, mammalian or plant origin.

Examples of commercially available plant lipases include but are not limited to lipases from wheat, castor bean, rape, mustard and lupin.

Examples of commercially available microbial lipases include but are not limited to the lipases as given in Table 11 or those exemplified in the Materials section of the Examples.

Examples of commercially available esterases include but are not limited to pregastric esterase (PGE) from sublingual tissue of calf, kid and lamb, rennet paste from engorged abomasas of calf, kid and lamb, esterase from rabbit liver or porcine liver.

Preferably said triglyceride component according to the invention as defined above is added in a concentration of about 0.25% to about 10% to the feed.

Preferably said lipolytic enzyme component is added in a concentration of about 100 to about 10,000 ppm to the feed.

The use of a feed supplement composition according to the present invention is preferably as a feed supplement for animal feeds, particularly for early weaned pigs.

The use of the feed supplement compositions according to the present invention do not, however, exclude the use of such compositions as a feed supplement for pigs of other age categories or as a feed supplement for other types of animals.

The present invention also relates to the use of a combination of at least one MCFA TG and at least one lytic enzyme according to the present invention for the preparation of a feed supplement preferably for early weaned piglets.

The present invention also relates to methods for the preparation of feed supplements according to the present invention comprising the step of mixing together of different MCFA TG and lipolytic enzyme components according to the invention.

The mechanism by which SCFA, MCFA and other organic acids exert antimicrobial activities is well documented in the literature. The current belief is that undissociated (RCOOH = non ionized) acids are lipid-permeable and in this way can pass across the microbial cell membrane and dissociate ($\text{RCOOH} \rightarrow \text{RCOO}^- + \text{H}^+$) in

7

5 the more alkaline interior of the microorganism. This brings about an acidification of
the intracellular pH below permissible levels for survival. In other words organic acids
act as protonophores that increase the inward leak of H⁺ so that efflux is not rapid
10 enough to alkalinize the cytoplasm again. The physicochemical characteristics of the
5 organic acids greatly influence their ability to act as protonophores: (molecular weight,
pKa (dissociation constant), solubility). The physiological environment in which they
15 are present (especially the pH in the different locations of the gastrointestinal tract) is
also a very important factor. Further, the type of the microbial envelope (mainly
peptidoglycan in Gram +, and lipopolysaccharide in Gram – bacteria) greatly
10 influences the passage of the acids through the membrane.

20 First, In preliminary *in vitro* experiments, in which a broad range of organic
acids (SCFA, MCFA and other commonly used organic acids in the feed and food
industry) were tested for their antibacterial activity against the dominant bacteria of the
25 small intestinal microflora, the present inventors unexpectedly found that the SCFA
15 and the commonly used organic acids only were bacteriostatic at higher
concentrations (0.02 to 0.04 M) for the Gram – flora (and to a lesser extent for
Streptococci). However, with the MCFA an unexpectedly high bacteriostatic and
30 bactericidal activity was found against both Gram + and Gram – bacteria. The
antibacterial activity was pH dependent and highest at lower pH, thus when a relatively
20 high proportion of the FA was in the undissociated form. In the same experiments a
temptative minimal bacteriocidal concentration of 0.005 to 0.01 M was put forward .

35 Also unexpected was that by using a combination of MCFA, the antibacterial
spectrum of the antibiotic growth promotors used in the intensive animal production
could be mimicked totally.

40 25 The specific characteristics of MCTG as an easily available energy source are
well documented. Their beneficial effect can be summarized as follow (BACH &
BABAYAN, 1982):

45 30 -MCTG are digested, absorbed and transported rapidly in disorders were digestion
and absorption are not optimal. Maldigestion and malabsorption are frequently
observed in newly weaned piglets, and are attributed to a sharp drop in the activity of
most of the digestive enzymes. The deficiency of lipolytic enzymes shortly after
weaning is very pronounced.

50

55

8

-MCTG are oxidized rapidly in the organism and are a source of abundant and rapidly available energy. However MCTG are ketogenic, what, when high doses are given, can have narcotic side effects. This side effect is certainly undesirable in piglets.

Also the depressive effect on the voluntary feed intake, by activation of CCK, is unwanted. Also unwanted (by the producer and/or the animal) is the strong unpleasant odour of the free MCFA which evaporate relatively easily.

In order to obtain the positive effects and to avoid the negative characteristics of MCFA, the inventors had the original idea to use a combination of a TG, containing sufficient MCFA, together with a lipolytic enzyme as a feed supplement, with the intention that sufficient MCFA should be released in the stomach to have a sterilizing effect, resulting in a lesser bacterial load in the small intestine and to prevent digestive upsets. This effect, combined with the extra easily available energy of the MCFA, and the supplementation of the natural lipase activity in the stomach and upper intestine by the exogenous lipolytic enzyme(s), resulted unexpectedly in a growth promotion making the use of antibiotics unnecessary. The expected gradual release and absorption of the free MCFA unexpectedly avoided the unwanted side effects.

In summary the invention describes the composition of a natural growth promoting feed supplement for the use in animals.

The following examples and drawings merely serve to illustrate the present invention
and are not meant to be limiting in any manner.

Examples

Materials

40 25 By way of example: the following fats (TG) were chosen to illustrate the present
invention: butterfat, coconut oil, and two commercially available sources of MCTG:
MCTG1 (Aldo MCT Kosher Food Grade) and MCTG2 (Stabilox-860), commercialized
by LONZA Inc. (Fair Lawn, NJ 070410, USA) and LODERS-CROKLAAN BV (NL-1521
45 30 AZ Wormerveer) respectively. By way of example the following lipolytic enzymes were
chosen to illustrate the present invention: L1: Lipozyme 10.000L, NOVO Nordisk A/S,
2880 Bagsvaerd, Denmark ; L2 : Lipase 10.000P, Biocatalysts Ltd., CF37 5UT

Pontypridd, Wales, UK ; L3 : TP 516P, Biocatalysts Ltd., CF37 5UT Pontypridd, Wales, UK ; L4 : LIPOMOD 224P, Biocatalysts Ltd., CF37 5UT Pontypridd, Wales, UK ; L5 : Lipase SAIKEN, NAGASE & Co, Chuo-ku, 103 Tokyo, Japan ; L6 : Lipase ITALASE C, SBI, Systems Bio-Industries, Inc., WI 53187-1609 Waukesha, USA. The codes L1 to L6 will be used further on. The selection of TG and lipolytic enzymes described in these examples does not exclude the potential usefulness of other TG and lipolytic enzymes and combinations of them for the purposes described in this invention.

10 Methods for extraction and analysis of different lipid compounds

A lipid extraction procedure using hexane/iso-propanol (3/2, v/v) avoiding any solvent evaporation step to prevent any loss of MCFA due to their great volatility was used.

15 Acid (H_2SO_4) catalyzed esterification of FA in the same extraction medium with formation of isopropyl esters (FAIPE) without loss of shorter esters or alteration of polyunsaturated higher FA was used. FAIPE appear in the upper hexane phase.

For the calculation of the concentration, quantitative capillary column (DB-225, 30m, ID 0,25 mm, Film 0,25 µm) GLC chromatography of individual FAIPE using 2 internal standards (C9 used for C4 to C12 acids and C17 used for C14 to C18:3 acids) was used. Coefficients of variation on the response factors amounted to 0,94 % for C9 and 2 ,51 % for C17.

Individual free FA was extracted from the lipid extract with a strong anion exchange resin Amberlyst 26 before esterification in the same medium and analysed by capillary GLC mean recovery of added free FA amounted to 101, 9 %.

Example 1

In vitro screening of MCFA containing TG's and lipolytic enzymes for lipolysis at different pH's (simulation of gastric conditions)

A selection of lipolytic enzymes to be tested, coded L1 to L6, was made which was based on their commercial availability and feasible price in commercial settings.

5 MCFA containing TG's were selected on the basis of their specific MCFA content in
the fat as specified in table 1.

5 Table 1. MCFA concentration (g / 100 g FA) in the selected TG's

| | C4 | C6 | C8 | C10 | C12 |
|----|-------------|-----|-----|------|------|
| 10 | Butterfat | 3.4 | 2.1 | 1.2 | 2.6 |
| | Coconut oil | 0 | 0.7 | 8.5 | 6.2 |
| | MCTG 1 | 0 | 2.8 | 69.1 | 27.7 |
| | MCTG 2 | 0 | 0.2 | 57.5 | 42.3 |

The *in vitro* incubations were done in buffered circumstances at different pH's; a glycine buffer was used for incubations at pH 2 and pH 3; an acetate buffer was used for incubations at pH 4 and pH 5. Incubations were done for 180 min at 37°C in a shaking water bath. The parameters used for the incubations were chosen in order to simulate as closely as possible the *in vivo* conditions in gastric contents. The medium used for the incubations was made up of the following ingredients: 0.250 g of the selected TG + 2.250 g of a synthetic feed (based on starch, dextrose, casein and a vitamin-mineral premix) + 10 ml buffer solution + 0.5 ml pepsine solution (50 mg in 100 ml aqua dest) + 10000 mg/kg fat (= ppm) of the selected commercial lipolytic enzyme preparation. If necessary the fat was molten, otherwise there were no special preparations (dispersion or emulgation) of the fat.

25 The results of the incubations are given in figure 1a to 1d which presents the released MCFA in g/100 g TG for the different examined TG's. The hydrolytic activity was highest at pH 3 to 5 with each of the enzymes, which fits well with the pH normally occurring IN VIVO in the stomach of pigs. The amount of released free MCFA seems to be dependent on the amount present in the original source of TG. The amount of 30 MCFA released was \pm 3.5% with coconut oil, 10-15% with the two MCTG's and \pm 0.5% with butterfat.

Example 2

In vivo experiment with gastric cannulated pigs for the study of the release *in situ* of MCFA by endogenous and exogenous lipolytic enzymes

10 Three TG's (coconut oil, MCTG1 and butterfat, each) and 2 lipases (L2 and
5 L5) were selected for the present experiment

Nine feeds were prepared using 95% of a commercial feed for piglets with 5% of the selected (eventually molten) TG's all or not supplemented with the selected lipases (see Table 2 for the codes used further on). The fats were simply poured on the meal and thoroughly mixed in a horizontal mixer. The concentration of the lipases was 1000 ppm of the commercial preparation in the feed

Table 2. Feeds used in experiment 2

Coconut oil:

15 V1: 95% piglet feed + 5% coconut oil
 V2: idem + 1000 ppm L2
 V3: idem + 1000 ppm L5

MCTG1:
 V4: 95% piglet feed + 5% MCTG1
 V5: idem + 1000 ppm L2
 V6: idem + 1000 ppm L5

20 Butterfat:
 V7: 95% piglet feed + 5% butterfat
 V8: idem + 1000 ppm L2
 V9: idem + 1000 ppm L5

25

The composition of the piglet feed was based on maize, barley, dried acid whey, cassave, herringmeal, soybean oil, and was supplemented with a vitamin-mineral premix. The feed contained no growth promoting supplements. The proximate analysis of the feeds (V1, V4 and V7) in % of as given was: DM: 90.6, 90.7 and 90.8; total ash: 7.8, 7.9 and 8.5; crude protein: 15.1, 15.4 and 14.8; crude fat: 8.5, 8.3 and 8.3.

The feed was given dry, in three equal meals (9, 13 and 17h), at 85% of the ad libitum intake of pigs with a comparable weight.

35 The experiment had a 3×3 Latin square design.

5

12

The experiment had a successful course. There were no health problems nor feed refusals. Statistics were done using ANOVA (1997), differences were at $p < 0.01$ to $p < 0.05$ (**) or $p < 0.1$ (*)

10

Sampling of the gastric contents for the chemical analysis was done on 2 consecutive days, 2 times a day, 30 min after the 9 h and 13 h meal. The pH was measured directly, thereafter the samples were stored at -20°C till further analysis.

15

The sampling of the gastric contents for the bacteriological analysis was done during 1 day, 90 min after the 9 and 13h meal. The bacterial counts were done using the technique of VAN DER HEYDE et al. (1964). The media (all from OXOID, UK) used were RCM agar + hemin for the total count (48h, anaerobic), Rogosa agar for the Lactobacilli (48 h, anaerobic), Slanetz & Bartley agar for the fecal Streptococci (24 h, aerobic), and EMB agar for *E. coli* (24 h, aerobic). All incubations were at 37°C . Results are expressed as \log_{10} CFU / g fresh contents (colony forming units)

20

The results of the experiment can be summarized as follows:

25

15 The pH of the stomach contents measured 30 and 90 min after feeding did not differ between the treatments (feeds) and ranged between 4.2 and 5.01. This is within the optimum range for the lipolytic activity of L2 and L5 as was found in the first experiment.

30

The results of the bacteriological counts are presented in table 3 and in fig 2.

35

20 Table 3. Bacteriological counts in the gastric contents of the piglets fed diets 1 to 9 (\log_{10} CFU / g fresh contents: mean \pm s.d) (n = 6).

| | | Total | Lacto. | Strepto. | <i>E. coli</i> |
|-------------|----|-----------------|-----------------|-----------------|-----------------|
| Coconut oil | | | | | |
| 25 | V1 | 6.4 \pm 0.8 | 6.0 \pm 0.8 | 4.3 \pm 1.0 | 2.3 \pm 1.2 |
| | V2 | 5.2 \pm 0.3** | 5.0 \pm 0.3** | 4.1 \pm 0.6 | 2.4 \pm 1.4 |
| | V3 | 5.3 \pm 0.6** | 4.9 \pm 0.7** | 2.7 \pm 1.6* | 2.6 \pm 2.1 |
| MCTG1 | | | | | |
| 40 | V4 | 6.1 \pm 0.2 | 5.7 \pm 0.5 | 5.2 \pm 0.4 | 2.9 \pm 1.6 |
| | V5 | 4.2 \pm 0.5** | 3.7 \pm 0.5** | 0.0** | 1.0 \pm 1.5** |
| | V6 | 3.4 \pm 1.7** | 2.7 \pm 1.4** | 0.5 \pm 1.2** | 0.5 \pm 1.2** |
| Butterfat | | | | | |
| 45 | V7 | 6.4 \pm 0.4 | 5.7 \pm 0.8 | 5.0 \pm 0.6 | 4.1 \pm 0.5 |
| | V8 | 5.6 \pm 0.9* | 5.5 \pm 0.3 | 4.0 \pm 0.7* | 3.4 \pm 0.1* |
| | V9 | 5.7 \pm 0.5* | 5.5 \pm 0.5 | 4.0 \pm 0.7* | 4.5 \pm 1.4 |

* , ** : differences per TG within the column

50

55

5

13

The most important results are:

10

-with coconut oil, both L2 and L5 reduced 10 fold the total count and the number of lactobacilli

15

-with MCTG1, both enzymes had a very pronounced (mostly p< 0.001) effect and reduced the total count and the lactobacilli by a factor 100 to 1000; streptococci and *E. coli* were mostly reduced to non detectable levels

20

-with butterfat, there was a 10 fold reduction of the total count and the number of streptococci.

The results allow the conclusion that the combination of a MCFA containing

TG and a lipolytic enzyme in the feed is able to suppress the total bacterial count and the dominant flora. This effect most likely is due to the release of free MCFA from the TG's used.

This statement was confirmed by the chemical analysis of the different fat fractions in the gastric contents collected during present experiment. The results of the analysis are given in fig. 3 in which the amount of total and free FA per 100 g fresh gastric contents are presented.

The results expressed as g free FA per 100 g total FA in the stomach contents, or in other words the degree (%) of hydrolysis of the TG, is given in table 4.

Table 4. Degree of hydrolysis (g free FA / 100 g total FA in fresh gastric contents) of the different TG's used in present experiment as influenced by L2 or L5

| | | control | +L2 | +L5 |
|----|-------------|------------|------------|------------|
| 25 | Coconut oil | V1 16.5 | V2 43.2 | V3 44.8 |
| 40 | MCTG1 | V4 18.9 | V5 58.5 | V6 60.9 |
| 30 | Butterfat | V7 16.8 | V8 46.8 | V9 45.8 |

The results for the individual FA (not given here) indicated that there was no preferential release of specific FA; in other words the release of individual FA is roughly proportional to their content in the TG used. Out of the results presented in fig.

It is striking and unexpected that the release of MCFA runs parallel with the degree of suppression of the bacterial load in the stomach: the most efficient suppression was observed with the combination MCTG1 + L5, which caused 60.9% hydrolysis of the TG in the stomach (corresponding with a concentration of ± 1 % of free FA and 0.6% of MCFA), followed by coconut oil + L5 (0.8% FA acids and 0.3% MCFA) and butterfat + L5 (0.8% free FA and 0.06% MCFA).

Example 3.

Zootechnical experiment in commercial settings: Growth performance combined with ex vivo observations on the gastric contents

15 The aim of this experiment was to check if the above mentioned concept was applicable and suitable in commercial settings and to check, when a growth promotion was obtained, this was comparable with the growth promotion obtained in early weaned piglets with antibiotics or a combination of organic acids with proven effectiveness.

For this experiment 244 freshly weaned piglets (Seghers Hybrid F1, initial weight ± 6.5 kg) were divided according to litter, sex and weight in 4 groups: A = 68; B = 61; C = 60 and D = 55 piglets. The experiment was run in commercial settings in temperature controlled facilities.

The composition of the feeds used was based on barley, wheat, maize flakes, extruded maize, extruded soybeans, soy-flour, herring meal , 2.5% TG, and a commercial premix (mainly based on milk products, vitamins + minerals) for early weaned piglets (12.5%) . The treatments (A to D) differed in the used TG's and the used additives (see table 5). The feeds contained no growth promoting antibiotics. Feed A was a negative control, feed D a positive control containing a mix of commonly used organic acids The calculated proximate analysis of the feeds used was equalized. The formulated contents were (% fresh): DM: 90.0 à 88.8, crude protein: 18.7 à18.9, crude fat 6.9, total ash: 5.1-5.3 The energy content was (Nef97): 2463-

2475 kcal/kg, the ileal digestible amino acids were set at: Lys: 1.07%, Met + Cys: 0.65,
Thre: 0.66, Try 0.19.

5 Table 5. Treatments used in the zootechnical experiment

| Treatment | A | B | C | D |
|---------------------|-------------|--------|-----------|-------------|
| TG (2.5%) | soybean oil | MCTG2* | MCTG2 | soybean oil |
| Lipase (L5) | - | - | 1000ppm** | - |
| Supplement | | | | |
| 10 organic acids*** | - | - | - | 1.5% |

* MCTG2 was selected upon commercial availability

****based on fresh feed**

15 *** 0.25% citric acid + 0.75% fumaric acid , 0.5 % Na-formiate (as specified by the feed manufacturer)

The feed was prepared by a commercial feed company which used a spray-equipment for fats and other liquid supplements. The feed was offered dry, ad libitum; water was continuously available via a nipple.

20 The experiment lasted 3 weeks. The piglets were weighed individually at the start of
the experiment and weekly thereafter; feed intake was recorded daily per two pens
(joint feed hopper for two pens with ± 15 piglets each). Therefore statistics only could
be done for the weights. The visual health condition of the pigs per pen was checked
daily and coded on a scale from 0 (extremely bad) to 10 (excellent).

25 The zootechnical results on a weekly basis are presented in table 6

40

45

50

55

16

5 Table 6. Zootechnical performances of the piglets as influenced by the treatments
 10 (means ± s.d.)

| | Treatment | week1 | week2 | week 3 | week1 to 3 | % of control |
|-------------------------------------|-----------|----------|----------|---------|------------|--------------|
| Feed intake (g/d) | | | | | | |
| 10 | Feed A | 156 | 365 | 472 | 331 | 100 |
| 15 | Feed B | 191 | 376 | 536 | 368 | 111 |
| 20 | Feed C | 180 | 391 | 533 | 361 | 110 |
| 25 | Feed D | 189 | 355 | 469 | 338 | 102 |
| Daily growth (g/d) | | | | | | |
| 10 | Feed A | 127±57 | 127±57 | 300±133 | 185±81 | 100 |
| 15 | Feed B | 164±73** | 160±70** | 301±144 | 208±95* | 112 |
| 20 | Feed C | 165±90** | 161±88** | 297±173 | 207±116* | 111 |
| 25 | Feed D | 141±81** | 123±73 | 280±111 | 181±71 | 98 |
| Feed conversion (kg feed/kg growth) | | | | | | |
| 10 | Feed A | 1.23 | 2.88 | 1.57 | 1.79 | 100 |
| 15 | Feed B | 1.16 | 2.35 | 1.78 | 1.77 | 99 |
| 20 | Feed C | 1.09 | 2.43 | 1.79 | 1.74 | 97 |
| 25 | Feed D | 1.34 | 2.89 | 1.68 | 1.87 | 104 |

The visual health score (not given in detail) ranged between 4 and 9 on treatment A; for the other treatments the range was 8 à 9 without marked differences.

The daily growth did not differ between treatment A and D and between B and C. The most pronounced differences were obtained in the first two weeks after weaning during which the best growth performance (plus ±30% over the control) was obtained with treatment B and C. The better results obtained with the feeds B and C (MCTG2 without or with lipase) are due to an increase of the feed intake. The best feed conversion however was obtained with the feed containing MCTG2 + lipase. The improvement of the growth using a combination of a MCFA TG (MCTG2) and a lipase was in the same range as obtained with quinoxalines (additives with both a Gram + and Gram - spectrum) (Decuyper, meta analysis of literature data, unpublished results)

Two weeks after weaning 5 barrows of each experimental group were euthanized. Because the pigs were fed ad lib. there was no control of the feed intake. After dissection of the gastrointestinal tract, samples were taken from the stomach, and the upper (duodenum) small intestine. The samples were analysed chemically and

50

55

bacteriologically in the same way as explained in the previous experiment. Only the total anaerobic count is reported here.

The pH of the gastric contents was ± 3.5 , and ± 5.7 in the duodenum; there were no differences between the treatments. The total anaerobic counts are reported in table 7.

Table 7. Total anaerobic count (\log_{10} CFU / g fresh contents, \pm s.d.) in the stomach and upper small intestine in piglets, 2 weeks after weaning as influenced by the different treatments. (n = 5)

| Treatment | stomach | duodenum |
|-----------|-----------|-----------|
| A | 7.0±0.2 | 6.4±0.5 |
| B | 7.0±0.2 | 6.1±0.8 |
| C | 5.9±0.5** | 5.6±0.5** |
| D | 6.9±0.2 | 5.9±0.4 |

The results indicate that the feed with the combination of MCFA TG (MCTG2) and lipase (L5) caused a significant ± 10 fold suppression of the bacteriological load, both in the stomach and upper intestine. That the effect was somewhat lower than in the previous experiment with the gastric cannulated pigs could be due to the lower amount of MCTG used in present experiment (2.5% versus 5%) and/or the different feeding and sampling procedures. Nevertheless, the present experiment confirmed the results obtained in the cannulated pig reported in example 3. The same can be stated for the results of the analysis of the different fat fractions (g / 100 g fresh contents) and the degree of hydrolysis (g free FA / 100 g total FA) in the gastric contents which are given in table 8.

45

50

55

18

Table 8. Concentrations of free FA and total FA in gastric contents (g / 100 g fresh contents, mean \pm s.d.) and degree of hydrolysis (free FA / total FA in %) as influenced by the treatments in pigs two weeks after weaning (n = 5)

| 5 | Treatment | A | B | C | D |
|----|--------------|-----------------|-----------------|-----------------|-----------------|
| 10 | Free FA | 0.28 \pm 0.06 | 0.44 \pm 0.10 | 0.95 \pm 0.22 | 0.31 \pm 0.09 |
| 15 | Total FA | 1.05 \pm 0.08 | 1.25 \pm 0.22 | 1.35 \pm 0.28 | 1.07 \pm 0.17 |
| 10 | % hydrolysis | 26.7 | 35.2 | 70.4 | 28.9 |

Out of the results for the % hydrolysis it can be calculated that for feed B (MCTG2 and C (MCTG2 + L5) respectively, 0.3 and 0.4 % free MCFA are present in the stomach. In the experiment with the cannulated pigs the highest concentrations of free MCFA (and the strongest inhibition of the bacterial load, \pm 100 fold) were obtained with MCTG1 + L5 and coconut oil + L5, 0.60 and 0.30 % respectively.

The combined results of experiment 2 and 3 clearly indicate that there is a correlation between the amount of released free MCFA and the inhibitory effect on the gastric flora.

Experiment 4

In vitro evaluation of the optimal combination of different concentrations of MCTG with different doses of a selected lipolytic enzyme.

Because it is our opinion that growth promotion is related and proportional to the inhibition of the total bacterial load in the small intestine, the following *in vitro* experiment, in which an \pm optimal combination of the content of a MCFA containing TG (MCTG1, MCTG2 and coconut oil) and a proven effective lipase (L5) was set up.

Four concentrations TG were used: 0, 2.5, 5 and 10%; for each concentration TG, the lipase (L5) was incorporated at 10.000, 1000 or 100 ppm. The medium contained also 2.5 g per incubation flask of the same synthetic feed (based on starch, dextrose, casein and a vitamin-mineral premix) as used in experiment 1. However in present experiment the TG was dispersed (using gum arabic and gum tragacanth) before adding to the medium. The incubations were done at pH 5 using an appropriate acetate buffer. Finally the medium (15 ml) was inoculated with 1 ml of a suspension of

bacteria originating from the ileal contents of two canulated pigs fed a diet without growth promoting additives. Incubations were done for 180 min at 37°C in a shaking water bath. All incubations were done in duplo.

The methods for the analysis of fats and the bacterial counts were the same as used in previous experiments. Only the total anaerobic count is reported here. Because a relationship between the antibacterial activity and the molecular weight of the FA was expected, the results for the free fatty acids were also expressed on a molar basis. The results are given in table 9.

10 Table 9. Relationship between the *in vitro* release of free fatty acids (g% or moles in
the medium) and the total anaerobic count (\log_{10} CFU / ml medium) with different TG's
(MCTG1, MCTG2 and coconut oil) and different doses (10,000, 1000 and 100 ppm) of
a lipolytic enzyme (L5)

| | free FA g % | free FA M | total count \log_{10} CFU/ml |
|----|------------------------|--------------|-----------------------------------|
| 15 | | | |
| | <u>MCTG1</u> | | |
| | Start | 0 | 0 |
| | 180 min, control | 0 | 6.2 |
| 20 | 180 min, 10,000 ppm L5 | 0 | 6.8 |
| | 2.5% MCTG1 | 0.17 | 0.012 |
| | 5% MCTG1 | 0.34 | 0.024 |
| | 10% MCTG1 | 0.63 | <1 |
| | 180 min, 1000 ppm L5 | 0.044 | <1 |
| 25 | 2.5% MCTG1 | 0.11 | 0.008 |
| | 5% MCTG1 | 0.20 | 0.014 |
| | 10% MCTG1 | 0.39 | 0.027 |
| | 180 min, 100 ppm L5 | 0.008 | 6.1 |
| 30 | 2.5% MCTG1 | 0.09 | 0.014 |
| | 5% MCTG1 | 0.13 | 0.009 |
| | 10% MCTG1 | 0.22 | 0.015 |
| | | | 4.8 |
| | | | 3.8 |
| | | | 6.5 |
| | | | 6.5 |
| | | | 6.2 |

| | | | |
|--------------------|------------------------|------|-----|
| 5 | | 20 | |
| <u>MCTG2</u> | | | |
| | Start | 0 | 0 |
| | 180 min, control | 0 | 6.3 |
| | 180 min, 10.000 ppm L5 | 0 | 7.0 |
| 10 | 2.5% MCTG2 | 0.17 | 5.5 |
| | 5% MCTG2 | 0.30 | 3.4 |
| | 10% MCTG2 | 0.58 | 1.8 |
| | 180 min, 1000 ppm L5 | | |
| | 2.5% MCTG2 | 0.13 | 6.3 |
| 15 | 5% MCTG2 | 0.21 | 6.3 |
| | 10% MCTG2 | 0.36 | 5.6 |
| | 180 min, 100 ppm L5 | | |
| | 2.5% MCTG2 | 0.11 | 6.5 |
| | 5% MCTG2 | 0.16 | 6.6 |
| | 10% MCTG2 | 0.23 | 6.7 |
| 20 | | | |
| <u>COCONUT OIL</u> | | | |
| | start | 0 | 6.3 |
| | 180 min, control | 0 | 7.1 |
| 25 | 180 min, 10.000 ppm L5 | | |
| | 2.5% coc. oil | 0.10 | 7.2 |
| | 5% coc. oil | 0.16 | 6.2 |
| | 10% coc. oil | 0.36 | 6.2 |
| | 180 min, 1000 ppm L5 | | |
| | 2.5% coc. oil | 0.07 | 6.4 |
| 30 | 5% coc. oil | 0.13 | 6.5 |
| | 10% coc. oil | 0.22 | 6.4 |
| | 180 min, 100 ppm L5 | | |
| | 2.5% coc. oil | 0.05 | 6.9 |
| 35 | 5% coc. oil | 0.08 | 7.0 |
| | 10% coc. oil | 0.13 | 7.0 |

The results can be summarized as follows:

- The amount of released FA is nearly proportional to the concentration of the TG, while a 10 fold increase of the dosis of the lipolytic enzyme used only doubled the concentration of the free FA. For each combination of a % TG and a given ppm lipolytic enzyme the release of FA follows the order: MCTG1 > MCTG2 > coconut oil.
- The higher the concentration of the free FA, the more pronounced the suppression of the number of bacteria. A minimal concentration of ± 0.35 g % FA the medium looks necessary for a significant suppression of the flora; this corresponds with 0.025 M / liter. The order MCTG1 > MCTG2 > coconut oil corresponds with an increase of the molecular weight of the quantitatively most important MCFA in the TG: MCTG1 = C8, MCTG2 = C10, coconut oil = C12.

5 -The used *in vitro* protocol offers an excellent tool for the screening of the numerous
combinations of MCFA containing TG's and available lipolytic enzymes for their
usefulness as feed supplements with a stabilizing or suppressive effect on the
gastrointestinal microflora. This effect is generally accepted as the basis for obtaining
10 a growth promotion.

15

20

25

33

40

45

50

55

22

5
Table 10. Examples of commercial sources of chemically synthesized structured lipids
(1)

| | Product | Composition | Company |
|----|-----------------------------|--------------------|-----------------------------------|
| 10 | Aldo MCT | C8, C10 | Lonza Inc., Fair Lawn, USA |
| 10 | Stabilox-860 NL | C8, C10 | Loders-Croklaan BV, Wormerveer, |
| 15 | Caprenin | C6:0, C8:0, C22:0 | Proctor & Gamble, Cincinnati, OH: |
| 15 | Salatrim Hanover, NJ | C3:0, C4:0, C18:0 | Nabisco Foods Group, East |
| 20 | Captex | C8:0, C10:0, C18:2 | Abitec, Columbus, OH |
| 20 | Captex 300 OH | C8, C10 | Capital City Products, Columbus, |
| 25 | Captex 810B OH | C8, C18 | Capital City Products, Columbus, |
| 25 | Tripelargonate OH | C9 | Capital City Products, Columbus, |
| 30 | Mixed odd chain Chicago, IL | C7, C9 | Abbott Laboratories, North |
| 30 | Neobee | C8:0, C10:0, LCFA | Stepan Co, Maywood, NJ |
| 30 | Neobee M5 | C8:0, C10:0 | Stepan Co, Maywood, NJ |
| 30 | Neobee 1095 | C10:0 | Stepan Co, Maywood, NJ |
| 30 | Coconado | C8:0 | Kao Co, Wakayama, Japan |
| 30 | Coconard-RK | C8, C10, C12 | Kao Co, Wakayama, Japan |
| 30 | MCTG | C4,C5,C6,C7,C8,C10 | Karlshamns Lipid Specialties, |
| 30 | Columbus, OH | | |
| 30 | MCTG IN | C8, C10 | Mead Johnson & Co, Evansville, |

35
(1) source : tested products + literature compilation

40

45

50

55

5 Table 11. Examples of experimental or commercially available
 10 microbial lipases (1)

| | Origin | Organism | Company |
|----|--------|---|---|
| 10 | Yeast | <i>Candida</i> sp. <i>Candida rugosa</i> * | Amano, Biocatalysts, Boehringer Mannheim Fluka, Genzyme, Sigma, Meito Sankyo |
| 15 | | <i>Candida antartica</i> A/B <i>Candida lipolytica</i> <i>Candida paralipolytica</i> <i>Saccharomyces lipolytica</i> | Boehringer Mannheim, Novo Nordisk |
| 20 | Fungal | | |
| 25 | 15 | <i>Thermomyces lanuginosus</i> ** <i>Rhizomucor Miehei</i> <i>Rhizopus</i> sp. <i>Rhizopus delemar</i> <i>Rhizopus oryzae</i> <i>Rhizopus niveus</i> <i>Rhizopus arrhizus</i> <i>Rhizopus javanicus</i> | Novo Nordisk, Boehringer Mannheim, Amano Novo Nordisk, Biocatalysts, Amano Nagase, Tokyo, Japan |
| 30 | 20 | <i>Aspergillus</i> sp. <i>Aspergillus niger</i> <i>Aspergillus usamii</i> <i>Aspergillus oryzae</i> | Alltech, Sigma Amano |
| 35 | 25 | <i>Mucor</i> sp. <i>Mucor javanicus</i> <i>Mucor lipolyticus</i> | Novo Nordisk |
| 40 | 30 | <i>Penicillium</i> sp. <i>Penicillium roquefortii</i> <i>Penicillium cyclopium</i> <i>Penicillium simplicissimum</i> <i>Penicillium camembertii</i> | Amano Amano |
| 45 | 35 | <i>Geotrichum candidum</i> <i>Neurospora crassa</i> <i>Ustilago maydis</i> <i>Fusarium solani</i> | Amano |
| 50 | 40 | <i>Burkholderia cepacia</i> *** <i>Pseudomonas</i> sp. <i>Pseudomonas alcaligenes</i> <i>Pseudomonas mendocina</i> <i>Pseudomonas fluorescens</i> <i>Pseudomonas aeruginosa</i> <i>Pseudomonas</i> spp. <i>Chromobacterium viscosum</i> **** CA, USA; Toyo Jozo | Amano, Fluka, Boehringer Mannheim Genencor Genencor Amano Finnfeeds International; Karlan, CA, USA Asahi, Tokyo, Japan; Biocatalysts; Karlan, Shizuoka, Japan |
| 55 | 50 | <i>Staphylococcus</i> sp. <i>Staphylococcus aureus</i> <i>Staphylococcus carnosus</i> <i>Staphylococcus hyicus</i> <i>Achromobacter lipolyticum</i> <i>Acinetobacter</i> <i>Propionibacterium acnes</i> <i>Bacillus</i> sp. | |

5

24

* formerly named *Candida cylindracea*

** formerly named *Humicola lanuginosus*

*** formerly named *Pseudomas cepacia*

**** *C. viscosum* is identical to *Burkholderia glumae*

10

(1) source : tested products + literature compilation

15

20

25

30

35

40

45

50

55

5

25

References

5 Bach, A.C. & Babayan, V.K., 1982, Medium-chain Triglycerides: an Update, The
10 American Journal of Clinical Nutrition, 36: 950-962

15 Cera, K.R. et al., 1989, Postweaning Swine Performance and Serum Profile Responses
20 to Supplemented Medium-chain Free Fatty Acids and Tallow, Journal of Animal
10 Science, 67, 2048-2055

25 Chesson, A., 1994, Probiotics and other Intestinal Mediators, In: Principles of Pig
30 Science, D.J.A. Cole, J. Wiseman & M.A. Varley, Editors, Nottingham University Press,
UK, pp. 197-214

35 Corpet, D.E., 1996, Microbial Hazards for Humans of Antimicrobial Growth Promotor
40 Use in Animal Production, Revue Médicine Vétérinaire, 147: 851-862

45 Decuypere, J.A. et al., 1977, Gastro-intestinal Cannulation in Pigs: a Simple Technique
50 allowing multiple Replacements, Journal of Animal Science, 46, 463-468

55 Kabara, J.J., 1978, Fatty Acids and Derivates as Antimicrobial Agents - a Review, In:
60 The Pharmacological Effects of Lipids, J.J. Kabara, Editor, The American Oil Chemists
Association, Champaign, IL, USA, pp. 1-14

65 Odle, J., 1999, Medium-chain Triglycerides: a Unique Energy Source for Neonatal Pigs,
70 Pig News and Information, 20: 25N-32N

75 Lepine, A.J. et al., 1989, Effect of Colostrum or Medium-chain Triglyceride
80 Supplementation on the Pattern of Plasma Glucose, Non-esterified Fatty Acids and
85 Survival of Neonatal Pigs, Journal of Animal Science, 67, 983-990

90 Moreau, H. et al., 1988, Screening of Preduodenal Lipases in several Mammals,
95 Biochimica Et Biophysica Acta, 959, 247-252

5

Partridge, G.G., 1993, New Approaches with Pig Weaner Diets, In: Recent Advances in Animal Nutrition, P.C. Gansworth & Cole, J.A., Editors., Nottingham University Press, UK, pp. 221-248

10

Roth, F.X. & Kirchgessner, 1998, Organic Acids as Feed Additives for young Pigs: Nutritional and Gastrointestinal Effects, Journal of Animal and Feed Sciences, 7: 23-33

15

SPSS for WINDOWS, 1997, User's Guide (Release 7.5), SPSS Inc., Chocogo, IL

10 60611

20

Van der Heyde, H. & Henderickx, H., 1963, Zur Vereinfachung der quantitativen und qualitativen Bestimmung der Bakterien unter Verwendung von "Ringplatten", Zentralblatt Für Bakteriologie, I Orig., 189, 224-228

25

15

Van der Peet, G.F.V., 1992, Voeding van jonge Biggen, CVB-Documentatierapport N°5

30

Wegener, H.C. et al., 1998, The Association between the Use of Antimicrobial Growth Promoters and Development of Resistance in Pathogenic Bacteria towards Growth Promoting and Therapeutic Antimicrobials, Journal of Animal and Feed Science, 7: 7-14

35

40

45

50

55

CLAIMS

PART 3A AMEND

1. Composition containing at least one triglyceride containing medium chain fatty acids and at least one lipolytic enzyme, for use as a medicament

5

2. Composition containing at least one triglyceride containing medium chain fatty acids and at least one lipolytic enzyme, for use as an antimicrobial agent.

3. Composition containing at least one triglyceride containing medium chain fatty acids and at least one lipolytic enzyme, for preventing digestive upsets.

10

4. Composition according to any of claims 1 to 3, wherein said triglyceride contains at least one or more C4, C5, C6, C7, C8, C9, C10, C11, and/or C12 medium chain fatty acid.

15

5. Composition according to any of claims 1 to 4, wherein said triglyceride is a naturally occurring triglyceride, such as butterfat and coconut oil.

6. Composition according to any of claims 1 to 5, wherein said triglyceride is an industrially prepared triglyceride composition.

20

7. Composition according to any of claims 1 to 6, wherein said triglyceride is a mixture of naturally occurring triglycerides and industrially prepared triglycerides.

25

8. Composition according to any of claims 1 to 7, wherein said triglyceride is prepared by interesterification of C4 to C12 chain fatty acids.

9. Composition according to any of claims 1 to 8, wherein said lipolytic enzyme is a lipase.

30

10. Composition according to any of claims 1 to 8, wherein said lipolytic enzyme is an esterase.

11. Composition according to any of claims 1 to 8, wherein said lipolytic enzyme is a mixture of lipase and esterase.

ART 34 ANDT

PCT/EP00/05192

12. Composition according to any of claims 1 to 11, wherein said triglyceride is present in a naturally occurring or industrially prepared medium chain fatty acids containing triglyceride composition and said lipolytic enzyme is present in a commercially available lipolytic enzyme composition.

5

13. Composition according to any of claims 1 to 12, wherein said triglyceride component is added in a concentration ranging from 0.25% to 10% to the feed and said lipolytic enzyme component is added in a concentration ranging from 100 to 10.000 ppm, to the feed.

10 14. Composition according to any of claims 1 to 13, wherein said triglyceride is a MCTG.

15. Use of a composition according to any of claims 1 to 14, for the preparation of a medicament for prophylactic or therapeutic treatment of growth impairment.

15 16. Use of a composition according to any of claims 1 to 14, for the preparation of a medicament for prophylactic or therapeutic treatment of digestive bacterial upsets.

17. Use of a composition according to any of claims 1 to 14, in a feed supplement or feed composition.

20

18. Use according to claim 16, wherein the feed supplement or feed composition is suitable for production and companion animal.

25

19. Use according to claim 17, wherein the animals are early weaned piglets.

(12) INTERNATIONAL APPLICATION PUBLISHED UNDER THE PATENT COOPERATION TREATY (PCT)

(19) World Intellectual Property Organization
International Bureau



(43) International Publication Date
14 December 2000 (14.12.2000)

PCT

(10) International Publication Number
WO 00/74497 A1

(51) International Patent Classification⁷: A23K 1/16, 1/18, A61K 31/23, 38/46, A61P 1/00

(21) International Application Number: PCT/EP00/05192

(22) International Filing Date: 6 June 2000 (06.06.2000)

(25) Filing Language: English

(26) Publication Language: English

(30) Priority Data:
99870120.5 7 June 1999 (07.06.1999) EP

(71) Applicants (*for all designated States except US*): UNIVERSITEIT GENT [BE/BE]; Sint-Pietersniewstraat 25, B-9000 Gent (BE). AVEVE N.V. [BE/BE]; Eugeen Meeusstraat 6, B-2170 Merksem (BE). KEMIN EUROPE N.V. [BE/BE]; Industriezone Wolfstee, B-2200 Herentals (BE). VITAMEX N.V. [BE/BE]; Booiebos 5, B-9031 Drongen (BE).

(72) Inventors; and

(75) Inventors/Applicants (*for US only*): DECUYPERE, Jaak [BE/BE]; Brugsesteenweg 162, B-8520 Kuurne (BE). DIERICK, Noël [BE/BE]; Rostynedreef 19, B-9880 Aalter (BE).

(74) Agent: BRANTS, Johan, Philippe, Emile; De Clercq, Brants & Partners cv, E. Gevaertdreef 10 a, B-9830 Sint-Martens-Latem (BE).

(81) Designated States (*national*): AE, AG, AL, AM, AT, AU, AZ, BA, BB, BG, BR, BY, CA, CH, CN, CR, CU, CZ, DE, DK, DM, DZ, EE, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, NO, NZ, PL, PT, RO, RU, SD, SE, SG, SI, SK, SL, TJ, TM, TR, TT, TZ, UA, UG, US, UZ, VN, YU, ZA, ZW.

(84) Designated States (*regional*): ARIPO patent (GH, GM, KE, LS, MW, MZ, SD, SL, SZ, TZ, UG, ZW), Eurasian patent (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European patent (AT, BE, CH, CY, DE, DK, ES, FI, FR, GB, GR, IE, IT, LU, MC, NL, PT, SE), OAPI patent (BF, BJ, CF, CG, CI, CM, GA, GN, GW, ML, MR, NE, SN, TD, TG).

Published:

— With international search report.

For two-letter codes and other abbreviations, refer to the "Guidance Notes on Codes and Abbreviations" appearing at the beginning of each regular issue of the PCT Gazette.

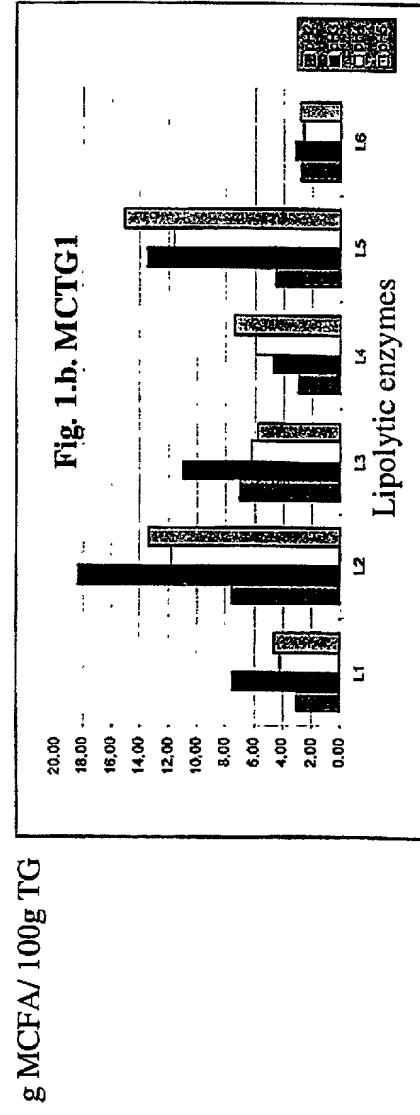
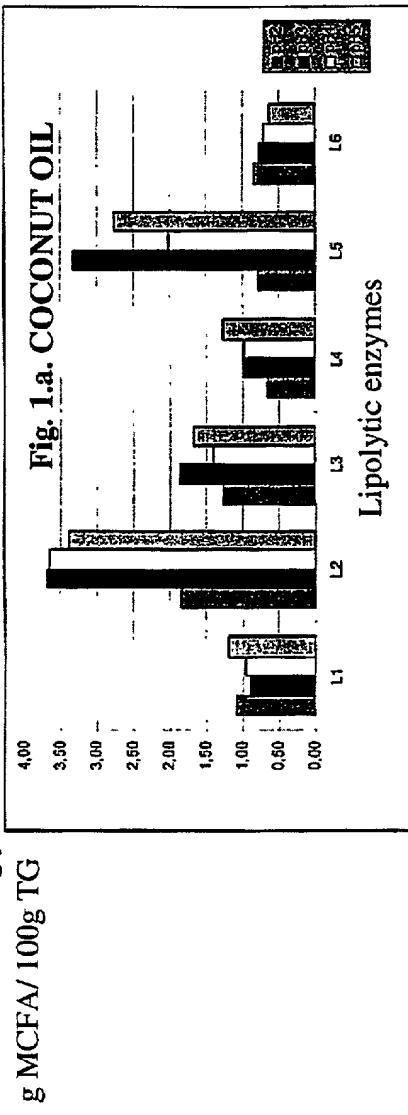
(54) Title: THE COMBINED USE OF TRIGLYCERIDES CONTAINING MEDIUM CHAIN FATTY ACIDS AND EXOGENOUS LIPOLYTIC ENZYME AS FEED SUPPLEMENTS

(57) Abstract: The present invention relates to the use of triglycerides (TG) containing medium chain fatty acids (C4 to C12), combined with exogenous lipolytic enzymes (esterases or lipases) as a feed supplement for animals in order to prevent and/or alleviate the problems which are frequently met at this moment. This results in a marked improvement of the growth performances without the use of the classical, but contested, feed additives.

WO 00/74497 A1

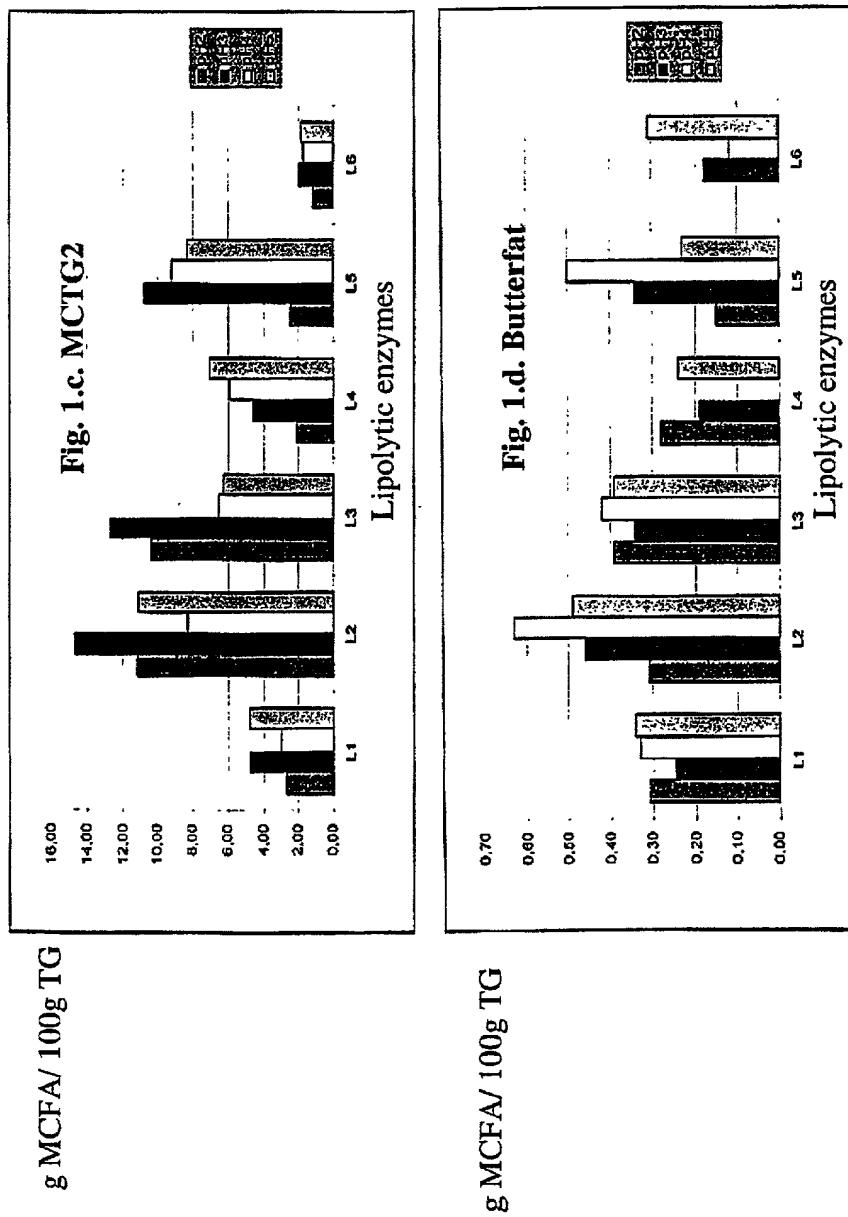
1/4

Fig. 1. In Vitro release of MCFA (g / 100g TG) at different pH's from the different triglycerides tested



2/4

Fig. 1. (followed) In Vitro release of MCFA (g / 100g TG) at different pH's from the different triglycerides tested



3/4

Fig. 2. In Vivo bacterial counts in the stomach contents of cannulated piglets fed three different TG and two lipases

Fig. 2.a: Coconut oil

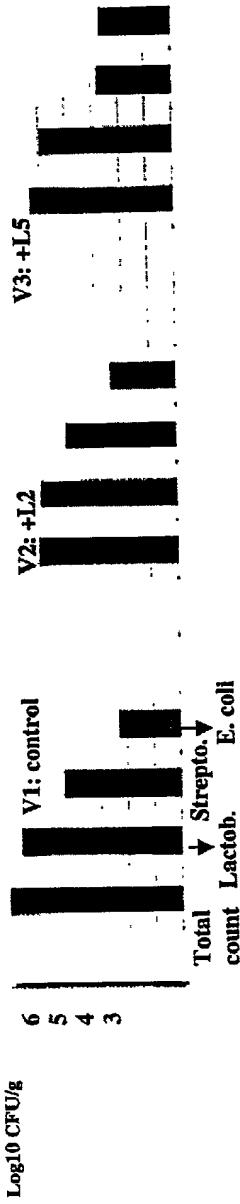


Fig. 2.b: MCT1

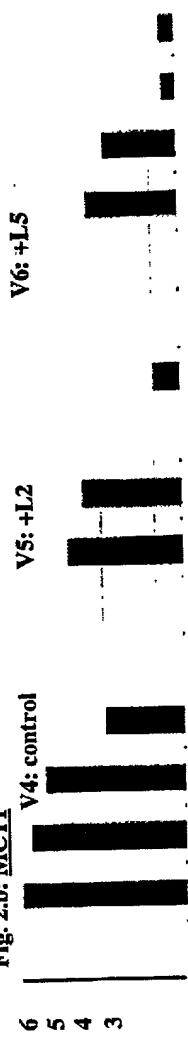
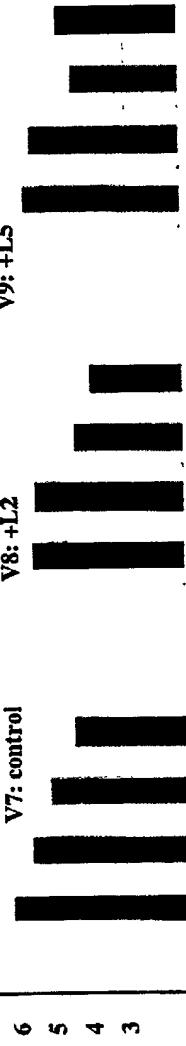


Fig. 2.c: Butterfat

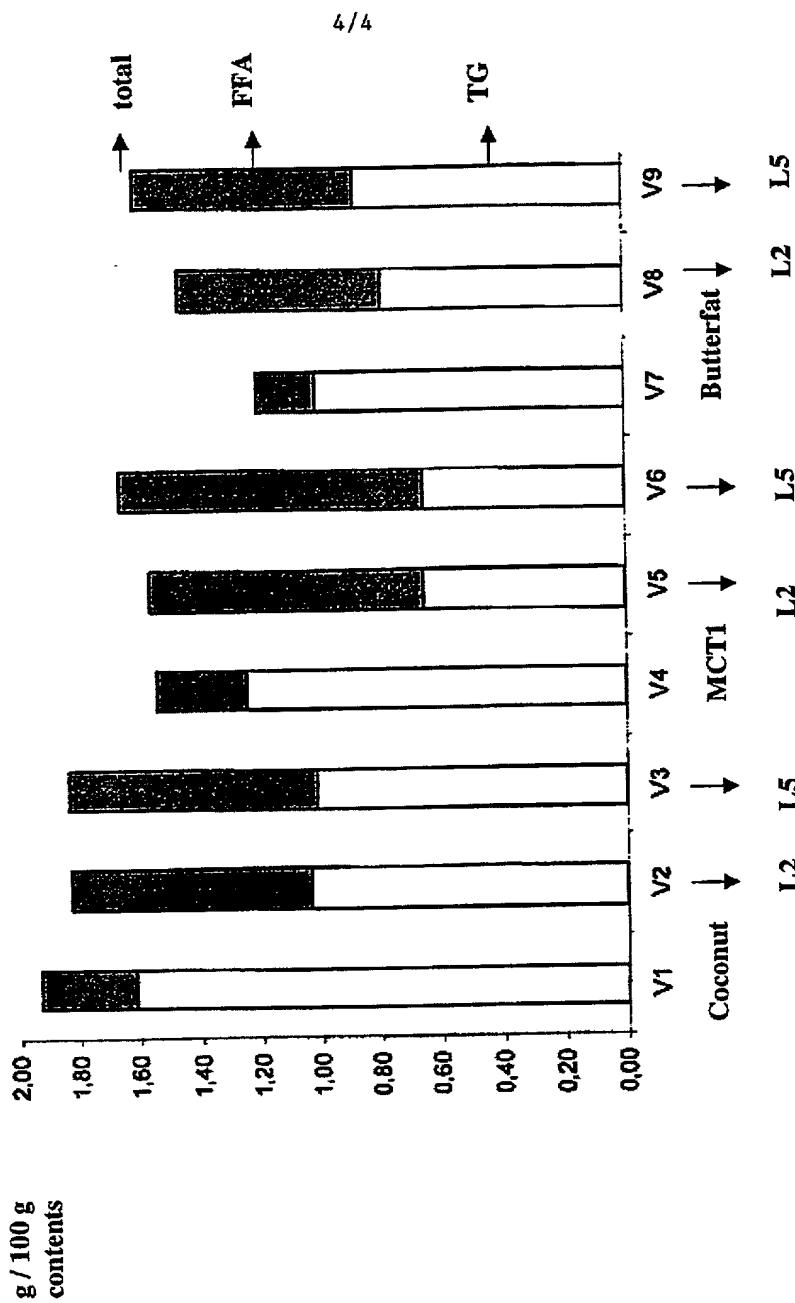


10/009235

PCT/EP00/05192

WO 00/74497

Fig. 3. In Vivo concentration of total, TG-bound and free fatty acids (FFA) in stomach contents of cannulated pigs fed three TG and two lipases



SUBSTITUTE SHEET (RULE 26)

10 Rec'd PCT/PTO

1 JUN 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

**Jaak Decuyper
Noël Dierick**

Serial No.:

Filed: December 7, 2001

For: THE COMBINED USE OF TRIGLYCERIDES
CONTAINING MEDIUM CHAIN FATTY
ACIDS AND EXOGENOUS LIPOLYTIC
ENZYME AS FEED SUPPLEMENTS

Group Art Unit:

Examiner:

Atty. Dkt. No.: DCLQ:003
(13475.003.PCUS00)

§371 filing of PCT/EP00/05192

ELECTION UNDER 37 C.F.R. §§ 3.71 AND 3.73 AND POWER OF ATTORNEY

Commissioner for Patents
Washington, D.C. 20231

Sir:

The undersigned, being joint Assignee of record of the entire interest in the above-identified application by virtue of an assignment recorded in the United States Patent and Trademark Office as set forth below, hereby elects, under 37 C.F.R. § 3.71, to prosecute the application to the exclusion of the inventors. The Assignee hereby revokes any previous Powers of Attorney and appoints:

S Patricia A. Kammerer, Reg. No. 29,775; Christopher J. Buntel, Reg. No. 44,573;
Matthew Madsen, Reg. No. 45,594; Raymond Reese, Reg. No. 47,891; and Amy G.
Klann, Reg. No. 48,155;

each an attorney or agent of the firm of HOWREY SIMON ARNOLD & WHITE, LLP, as its attorney or agent for so long as they remain with such firm, with full power of substitution and revocation, to prosecute the application, to make alterations and amendments therein, to transact all business in the Patent and Trademark Office in connection therewith, and to receive any Letters Patent, and for one year after issuance of such Letters Patent to file any request for a certificate of correction that may be deemed appropriate.

Pursuant to 37 C.F.R. § 3.73, the undersigned has reviewed the evidentiary documents, specifically the Assignments to **Vitamex N.V.** and **Aveve N.V.**, referenced below, and certifies that to the best of our knowledge and belief, title remains in the name of the joint Assignees.

Please direct all communications as follows:

Patricia A. Kammerer
HOWREY SIMON ARNOLD & WHITE, LLP
750 Bering Drive
Houston, Texas 77057-2198
(713) 787-1400

N.V. VITAMEX S.A.
B-9031 DRONGEN
BELGIUM

AVEVE N.V.

By: *[Signature]*
Name: Dr. Erik VANDERBEKE
Title: Manager
Innovation AVEVE GROUP
Date: *officieel dossier*

VITAMEX N.V.

By: *[Signature]*
Name: Dr. Patrick Keereman
Title:
Date: *28/01/02*

ASSIGNMENT:

Concurrently filed herewith.

10 Rec'd PCT/PTO 71 JUN 2002

DCLQ:003

DECLARATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or the below named inventors are the original, first and joint inventors (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

The Combined Use of Tryglycerides Containing Medium Chain Fatty Acids and Exogenous Lipolytic Enzymes as Feed Supplements,

the Specification of which of which was filed as PCT International Application No. PCT/EP00/05192 on 6 June 2000 and accorded U.S. Serial Number _____.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent, United States provisional application(s), or inventor's certificate listed below and have also identified below any foreign application for patent, United States provisional application, or inventor's certificate having a filing date before that of the application on which priority is claimed:

| PRIORITY APPLICATION(S) | | | Priority Claimed |
|-------------------------|---------------------|------------------------------|---------------------|
| 99870120.5 (Number) | Europe (Country) | June 7, 1999 (Date Filed) | Yes Yes/No |
| | | | |

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose all information known to me to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56, which become available between the filing date of the prior application and the national or PCT international filing date of this application:

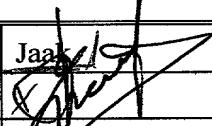
_____ (Application Serial No.) (Filing Date) (Status)

I hereby direct that all correspondence and telephone calls be addressed to

Patricia A. Kammerer
Howrey Simon Arnold & White, LLP
750 Bering Drive
Houston, Texas 77057-2198
(713) 787-1400

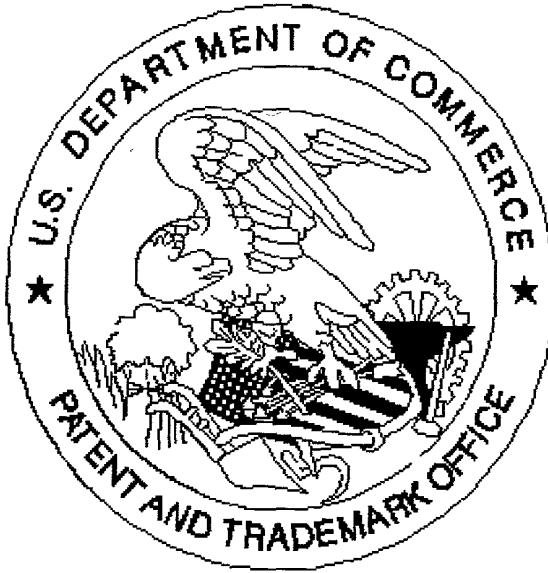
attorneys for the assignees of this case

I HEREBY DECLARE THAT ALL STATEMENTS MADE OF MY OWN KNOWLEDGE ARE TRUE AND THAT ALL STATEMENTS MADE ON INFORMATION AND BELIEF ARE BELIEVED TO BE TRUE; AND FURTHER THAT THESE STATEMENTS WERE MADE WITH THE KNOWLEDGE THAT WILLFUL FALSE STATEMENTS AND THE LIKE SO MADE ARE PUNISHABLE BY FINE OR IMPRISONMENT, OR BOTH, UNDER SECTION 1001 OF TITLE 18 OF THE UNITED STATES CODE AND THAT SUCH WILLFUL FALSE STATEMENTS MAY JEOPARDIZE THE VALIDITY OF THE APPLICATION OR ANY PATENT ISSUED THEREON.

| | | | |
|--|---|--------------------|----------|
| Inventor's Full Name: | Jaak Decuyper | nmi | Decuyper |
| Inventor's Signature: |  | | |
| Country of Citizenship: | Belgium | Date: 28 Jan. 2002 | |
| Residence Address: (street, number, city, state, and/or country) | Brugsesteenweg 162 B-8520 Kuurne Belgium | BE | |
| Post Office Address: (if different from above) | | | |

| | | | |
|--|--|--------------------|---------|
| Inventor's Full Name: | Noël Dierick | nmi | Dierick |
| Inventor's Signature: |  | | |
| Country of Citizenship: | Belgium | Date: 28 Jan. 2002 | |
| Residence Address: (street, number, city, state, and/or country) | Rostynedreef 19 B-9880 Aalter | BE | |
| Post Office Address: (if different from above) | | | |

United States Patent & Trademark Office
Office of Initial Patent Examination -- Scanning Division



Application deficiencies found during scanning:

Page(s) _____ of _____ were not present
for scanning. (Document title)

Page(s) _____ of _____ were not present
for scanning. (Document title)

Scanned copy is best available.

Drawings are dark.